



Testimony by Ronald Herron
Southern Connecticut State University
Before the Higher Education and
Employment Advancement Committee
February 10, 2011

For the record, I am Dr. Ronald Herron, Vice President for Student and University Affairs at Southern Connecticut State University (SCSU), and I provide this testimony on behalf of the Connecticut State University System (CSUS) regarding our efforts related to preventing and eliminating sexual violence on our campuses. While working previously in New York State, I received two U.S. Department of Justice Office of Violence Against Women grants. I have served as a member of the DOJ National Advisory Council for Programs to Combat Violence Against Women on college campuses. Thank you very much for the opportunity to write today on Senate Bill 847, *An Act Concerning the Elimination of Sexual Violence on College Campuses*. I want to share with you an exciting and coordinated effort to eliminate violence against women on campuses in Connecticut.

In October 2009, the Connecticut Coalition to End Violence on College Campuses was awarded a three-year \$498,000 grant from the Office of Violence Against Women of the U.S. Department of Justice to address the elimination of violence against women on our campuses. The Coalition is a unique partnership of five public and four private institutions and two state-wide agencies, one for victim services and one for law enforcement. The public institutions are SCSU (which serves as the recipient of the grant and as the lead institution) Eastern Connecticut State University (ECSU), Western Connecticut State University (WCSU), Central Connecticut State University (CCSU) and UConn; the private institutions are Trinity, University of Hartford, Quinnipiac, and University of Bridgeport, with community agency partners of ConnSACs and Connecticut Police Academic Police Officers Standards and Training Council (POST).

As you are no doubt aware, the elements of the legislation that is currently under consideration reflect exactly the tested and long-standing program elements which are required by OVW and the Cleary Act, the Omnibus Campus Crimes bill. The good news is that CSUS is already doing all of what Senate Bill 847 would require. Specifically, these elements are:

1. Create institutional polices and structures which support a **comprehensive, victim-centered**, community based response to all instances of sexual assault, dating violence and stalking.
2. Implement education and primary **prevention programs** for the entire university community, including **mandatory orientation and awareness programs for all incoming students**.
3. Strengthen how we can more effectively **conduct investigations and seek prosecutions** which hold perpetrators accountable for their criminal behavior.
4. **Develop and strengthen the capacity of campus judicial boards** to effectively hold perpetrators accountable for their behavior.

So you see, we are pleased that we are already engaged in the work that Senate Bill 847 requires.

After having read the proposed legislation, I would like to respectfully request that the Committee consider revisions and/or clarifications to some sections of the bill. (See attached.) I believe this will strengthen an already impressively victim-centered bill. I hope that this information is helpful in your deliberations on Senate Bill 847.

ATTACHMENT

1. *Section 1(a) (3) “intimate sexual **partner** violence” means any physical, sexual or psychological harm against an individual by a current or former **partner** or spouse of such individual and includes...*”

Issue/Recommended Language:

The definition of the term includes the same language as the term itself, and as such, during a disciplinary hearing would leave much room for argumentation. The CDC definition may be wisely adopted to avoid this definitional pitfall, as follows “**Intimate partner violence**” means any physical, sexual or psychological harm against an individual by a current or former **relational/significant other** or spouse.”

2. *Section 1 (b) The annual uniform campus crime report should include provisions for “(1) **providing students and employees who report being the victim of sexual assault or intimate partner violence contact information for campus, local advocacy, counseling, health, mental health and legal assistance services and written information concerning the rights of students and employees.**”*

Issue/Recommended Language:

The simple provision of contact information to a traumatized individual is not sufficient. We suggest that the requirement of this provision be expanded from “ providing contact information” to also include providing assistance in accessing such services, as follows: “(1) providing students and employees who report being the victim of sexual assault or intimate partner violence **both contact information about and, if desired by the victim, professional assistance in accessing and utilizing services from** the campus and/or local agencies which provide victim advocacy, health, mental health, counseling and or legal assistance services.

3. *Section 1(6)(b)(6)(C) both the accuser of such assault or violence and the accused perpetrator are entitled to be accompanied to any meeting or proceeding relating to the allegation of such assault or violence by an advisor of their choice and that **such accuser and accused shall have the opportunity to have others present during any disciplinary proceeding.***

Issue/Recommended Language:

The highlighted portion poses serious risks to a victim-centered campus judicial system. This phrase grants to the accuser and the accused the unlimited and unrestricted opportunity to have others present throughout a disciplinary proceeding. This would mean that the accused would be permitted to bring many individuals, including friends, family, the general public and/or the press to a disciplinary hearing. That level of public disclosure can only serve to intimidate and re-victimize a victim, to slow the process of a victim becoming a survivor, and to chill the likelihood that accusers will be willing to participate in campus disciplinary hearings.

We recommend the more standard substitute language which protects the due process rights of both accused and accuser: “**Both the accuser and accused shall have the right to present information and witnesses on their own behalf during any disciplinary proceeding.**”

Technical Revisions:

1. *Section 1(6) (b) (1) (B) obtain a protective order, apply for a temporary restraining order or **enforce an existing protective or restraining order**, including, but not limited to, orders issued pursuant to sections 46b-15, 46b-38c, 53a-40e, 54-1k, 54-82q and 54-82r of the general statutes, against the perpetrator of such assault or violence*

Issue/Recommended Language:

Students and employees can't really "enforce existing protective or restraining order"

The language should clarify that **students and employees have a right to expect that the institution of higher education will act, to the extent permissible under law, enforce an existing protective or restraining order, including but not limited to**"

2. *Section 1(6) (b) (2) notifying such students and employees, **if requested**, of the reasonably available options for and available assistance from such institution in changing academic, living, transportation or working situations in response to such assault or violence*

Issue/Recommended Language:

The requirement that students and employees be notified of the availability of assistance (such as changing academic, living, transportation or working conditions) should be provided, irrespective of whether or not an accuser has requested the information. This information should be provided whether requested, or not. We recommend deleting "**if requested.**"